

Introduced by Senator Price

February 19, 2013

An act to amend Section 4629 of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

SB 321, as introduced, Price. Developmental services: regional centers: performance contracts.

Under the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is required to contract with regional centers to provide services and supports to individuals with developmental disabilities. Existing law requires the state to enter into 5-year contracts with the regional centers, subject to the annual appropriation of funds by the Legislature, and requires that the contracts include annual performance objectives, as specified.

This bill would, in this regard, require the department to establish performance contract guidelines and measures relating to issues of cultural and linguistic competency.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4629 of the Welfare and Institutions Code
- 2 is amended to read:
- 3 4629. (a) The state shall enter into five-year contracts with
- 4 regional centers, subject to the annual appropriation of funds by
- 5 the Legislature.

1 (b) The contracts shall include a provision requiring each
2 regional center to render services in accordance with applicable
3 provision of state laws and regulations.

4 (c) (1) The contracts shall include annual performance
5 objectives that shall do both of the following:

6 (A) Be specific, measurable, and designed to do all of the
7 following:

8 (i) Assist consumers to achieve life quality outcomes.

9 (ii) Achieve meaningful progress above the current baselines.

10 (iii) Develop services and supports identified as necessary to
11 meet identified needs.

12 (B) Be developed through a public process as described in the
13 department's guidelines that includes, but is not limited to, all of
14 the following:

15 (i) Providing information, in an understandable form, to the
16 community about regional center services and supports, including
17 budget information and baseline data on services and supports and
18 regional center operations.

19 (ii) Conducting a public meeting where participants can provide
20 input on performance objectives and using focus groups or surveys
21 to collect information from the community.

22 (iii) Circulating a draft of the performance objectives to the
23 community for input prior to presentation at a regional center board
24 meeting where additional public input will be taken and considered
25 before adoption of the objectives.

26 (2) In addition to the performance objectives developed pursuant
27 to this section, the department may specify in the performance
28 contract additional areas of service and support that require
29 development or enhancement by the regional center. In determining
30 those areas, the department shall consider public comments from
31 individuals and organizations within the regional center catchment
32 area, the distribution of services and supports within the regional
33 center catchment area, and review how the availability of services
34 and supports in the regional area catchment area compares with
35 other regional center catchment areas.

36 (3) *In addition to the performance objectives developed pursuant*
37 *to this section, the department shall establish performance contract*
38 *guidelines and measures relating to issues of cultural and linguistic*
39 *competency.*

1 (d) Each contract with a regional center shall specify steps to
2 be taken to ensure contract compliance, including, but not limited
3 to, all of the following:

4 (1) Incentives that encourage regional centers to meet or exceed
5 performance standards.

6 (2) Levels of probationary status for regional centers that do
7 not meet, or are at risk of not meeting, performance standards. The
8 department shall require that corrective action be taken by any
9 regional center which is placed on probation. Corrective action
10 may include, but is not limited to, mandated consultation with
11 designated representatives of the Association of Regional Center
12 Agencies or a management team designated by the department, or
13 both. The department shall establish the specific timeline for the
14 implementation of corrective action and monitor its
15 implementation. When a regional center is placed on probation,
16 the department shall provide the appropriate area board with a
17 copy of the correction plan, timeline, and any other action taken
18 by the department relating to the probationary status of the regional
19 center.

20 (e) In order to evaluate the regional center's compliance with
21 its contract performance objectives and legal obligations related
22 to those objectives, the department shall do both of the following:

23 (1) Annually assess each regional center's achievement of its
24 previous year's objectives and make the assessment, including
25 baseline data and performance objectives of the individual regional
26 centers, available to the public. The department may make a special
27 commendation of the regional centers that have best engaged the
28 community in the development of contract performance objectives
29 and have made the most meaningful progress in meeting or
30 exceeding contract performance objectives.

31 (2) Monitor the activities of the regional center to ensure
32 compliance with the provisions of its contracts, including, but not
33 limited to, reviewing all of the following:

34 (A) The regional center's public process for compliance with
35 the procedures ~~sets~~ set forth in paragraph (2) of subdivision (c).

36 (B) Each regional center's performance objectives for
37 compliance with the criteria set forth in paragraph (1) of
38 subdivision (c).

1 (C) *Each regional center's performance objectives for*
2 *compliance with the guidelines and measures established by the*
3 *department pursuant to paragraph (3) of subdivision (c).*

4 ~~(C)~~

5 (D) Any public comments on regional center performance
6 objectives sent to the department or to the regional centers, and
7 soliciting public input on the public process and final performance
8 standards.

9 (f) The renewal of each contract shall be contingent upon
10 compliance with the contract, including, but not limited to, the
11 performance objectives, as determined through the department's
12 evaluation.

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